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and Rebecca Girn
7

8 **UNITED STATES DISTRICT COURT**
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
10 **SOUTHERN DIVISION**

11 In re

Case No. 25-cv-01319

12 HIGHER GROUND EDUCATION INC.,

Chapter 11

13 Adv. No. Assigned to Removed Action:
14

15 Debtor.
16

17 NOTICE OF REMOVAL OF LAWSUIT
PENDING IN STATE COURT TO
BANKRUPTCY COURT (28 USC
§ 1452)
18
19

HOLMES, ATHEY, COWAN & MERMELESTEIN LLP
811 Wilshire Boulevard, Suite 1460
Los Angeles, California 90017

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1 **TO THE CLERK OF THE ABOVE-ENTITLED COURT, THE HONORABLE**
 2 **UNITED STATES DISTRICT JUDGE, PLAINTIFF AND CROSS-**
 3 **DEFENDANT CARL BARNEY, DEFENDANTS PETER LEPORT, M.D.,**
 4 **MONICAL LEPORT, FRANCISCO LEPORT, HIGHER GROUND**
 5 **EDUCATION INC., CROSS-DEFENDANTS ERIC JUHLIN, LENNY**
 6 **ESMOND, AND RONY L. MIILER, AND LEPORT EDUCATIONAL**
 7 **INSTITUTE, INC., AND THE ORANGE COUNTY SUPERIOR COURT:**

8
 9 **PLEASE TAKE NOTICE** that Defendants and Cross-Claimants Ramandeep
 10 and Rebecca Girn hereby provides Notice of Removal of the lawsuit entitled Barney
 11 v. Pieter, et al., Case No. 30-2018-01006531-CU-FR-CJC, including all cross-actions
 12 and third party actions (the “Action”) formerly pending in the Superior Court of the
 13 State of California, for the County of Orange, Central Justice Center, 700 W. Civic
 14 Center Drive, Santa Ana, California 92701, to the United States District Court for the
 15 Central District of California, pursuant to 28 U.S.C. section 1452 and Federal Rule of
 16 Bankruptcy Procedure 9027(a), and hereby gives notice of such removal to each of
 17 the following:

18 1. Orange County Superior Court, Central Justice Center, 700 W. Civic
 19 Center Drive, Santa Ana, California 92701;

20 2. Jackson Lewis P.C., 200 Spectrum Center Drive, Suite 500, Irvine,
 21 California 92618 (counsel to Plaintiff and Cross-Defendant Carl Barney); Elkins Kalt
 22 Weintraub Reuben Gartside LLP, 10345 W. Olympic Blvd., Los Angeles, California
 23 90064 (counsel to Peter LePort, M.D., Monica LePort, and Francisco LePort);
 24 Robinson & Robinson, LLP, One Park Plaza, Suite 600, Irvine, California 92614
 25 (counsel to LePort Educational Institute, Inc., hired by its assignee, Carl Barney);
 26 Foley & Lardner LLP, 555 South Flower Street, Suite 3300, Los Angeles, California
 27 90071 (civil counsel to Higher Ground Education Inc.).

1 Removal of the Action is based upon the following facts:

2 1. On July 18, 2018, Carl Barney filed a civil action against Lukas Pieter
3 entitled, “Complaint for Damages and Restitution and Demand for Jury Trial” in the
4 Orange County Superior Court. On November 6, 2018, Barney filed a First Amended
5 Complaint, and on June 17, 2019, Barney filed a Second Amended Complaint.
6 Barney’s operative Third Amended Complaint in the Action was filed on August 26,
7 2021, and asserted claims for (1) breach of contract, (2) breach of fiduciary duty,
8 (3) misappropriation of trade secrets, (4) conversion, (5) tortious interference with
9 contract, (6) intentional interference with contract, (7) legal malpractice, (8) unfair
10 competition and business practices, (9) disgorgement of salary and benefits,
11 (10) fraud by intentional misrepresentation, (11) fraud by intentional concealment,
12 and (12) duress and coercion, as more fully set forth in the copy of the operative
13 Third Amended Complaint attached hereto as Exhibit 103. The current defendants
14 are Dr. Peter LePort, Monica LePort, Francisco LePort, Ramandeep Girn, Rebecca
15 Girn, and Debtor Higher Ground Education Inc. (“HGE”).

16 2. The Girns have asserted a crossclaim for breach of fiduciary duty
17 against Carl Barney, Eric Juhlin, Lenny Esmond, and Rony L. Miller, as more fully
18 set forth in the copy of the operative Third Amended Cross-Complaint attached
19 hereto as Exhibit 224.

20 3. The Action arises out of Carl Barney’s alleged receipt of an assignment
21 of claims from Cross-Defendant LePort Educational Institute, Inc. (“LEI”), the Girns’
22 former employer, prior to the Girns’ founding of HGE. With the exception of the
23 fraud claims, Barney is asserting claims based on an alleged violation of LEI’s rights.

24 4. The Action is not a proceeding before the United States Tax Court.

25 5. The Action is not a civil action by a governmental unit to enforce its
26 police or regulatory power.

27 6. The Action was pending in Orange County Superior Court.

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1 7. On June 17, 2025, HGE filed a petition for relief in the United States
 2 Bankruptcy Court for the Northern District of Texas, Dallas Division, under Chapter
 3 11 of the United States Bankruptcy Code, which is currently pending as Case No. 25-
 4 80121 (MVL), before the Hon. Michelle V. Larson, presiding.

5 8. By the Action, Plaintiff Carl Barney is suing HGE and two of its former
 6 officers Rebecca Girn, LEI's former general counsel and Ray Girn, LEI's former
 7 chief executive officer, and a board member, for breach of contract, breach of
 8 fiduciary duty, misappropriation of trade secrets, unfair competition, disgorgement of
 9 salary and benefits, and fraud. Barney seeks the recovery of approximately \$26
 10 million from the Girns and HGE as alleged damages for alleged misappropriation of
 11 trade secrets from LEI and related unfair competition by HGE. The Action is a
 12 noncore proceeding within the meaning of 28 U.S.C. sections 157 and 1334.

13 9. The claims and causes of action asserted against the Girns and HGE are
 14 directly related to HGE's bankruptcy case inasmuch as the Girns are former officers
 15 of HGE, and both the Girns and HGE are accused of misappropriating LEI's trade
 16 secrets for use at HGE, and the Girns are accused of soliciting former LEI employees
 17 to work at HGE. Barney also seeks disgorgement of any profits obtained by HGE by
 18 virtue of its alleged use of LEI's trade secrets. The claims against the Girns and HGE
 19 are thus inextricably intertwined.

20 10. The Girns do consent to entry of a final order in the Action by the
 21 bankruptcy court.

22 11. The Girns intend to forthwith file a motion to transfer the Action to the
 23 United States District Court for the Northern District of Texas for a referral to the
 24 United States Bankruptcy Court for the Northern District of Texas.

25 12. This Court has jurisdiction over the Action pursuant to 28 U.S.C. section
 26 1334(b).

27 13. Removal of the Action to this Court is proper under 28 U.S.C. section
 28 1452(a) and Federal Rule of Bankruptcy Procedure 9027 because the Central District

1 of California is the district within which the Action was pending prior to removal.
2 Removal of the Action to this Court is in compliance with the time limits set forth in
3 Federal Rule of Bankruptcy Procedure 9027(a)(2), as it is filed within 90 days of the
4 order for relief in the bankruptcy case.

5 14. Venue for the Action is proper in this Court under 28 U.S.C. section
6 1452(a), because this Court is the Bankruptcy Court located in the District in which
7 the nonbankruptcy court where the Action was formerly pending is located.

8 15. Attached hereto as Exhibit 1 is a true and correct copy of the docket of
9 the Action.

10 16. Exhibits 2 through 296 are true and correct copies of all pleadings filed
11 in the Action prior to removal, and will be filed as follows, although issues with the
12 filing system prevented them from being uploaded at the same time as this filing:

- 13 Exhibit 2: 2018.07.18 [Barney] Complaint
- 14 Exhibit 3: 2018.07.18 Notice of Related Case
- 15 Exhibit 4: 2018.08.07 [Lukas Pieter] Cross-Complaint
- 16 Exhibit 5: 2018.10.12 [All Parties] Stip and Protective Order
- 17 Exhibit 6: 2018.11.06 [Barney] First Amended Complaint
- 18 Exhibit 7: 2019.04.30 [Pieter] Demurrer to Amended Complaint
- 19 Exhibit 8: 2019.05.06 Amendment Re HGE as Doe 2
- 20 Exhibit 9: 2019.05.06 Amendment Re Ray as Doe 1
- 21 Exhibit 10: 2019.05.14 Declaration re Opp to Demurrer
- 22 Exhibit 11: 2019.05.28 Minute Order Re Demurrer
- 23 Exhibit 12: 2019.05.28 Notice of Ruling re Demurrer
- 24 Exhibit 13: 2019.06.14 Amendment re Rebecca as Doe 3
- 25 Exhibit 14: 2019.06.17 Second Amended Complaint
- 26 Exhibit 15: 2019.07.22 [LePort] Ntc of Demurrs to Pl Second Amended
27 Complaint

28

1 Exhibit 16: 2019.08.06 [Barney] Oppo to Peter Leport, et al Demurrsers to Pls
2 Second Amended Complaint
3 Exhibit 17: 2019.08.12 [Peter LePort, et al] Reply ISO Demurrsers to Portions
4 of Pls Second Amended Complaint
5 Exhibit 18: 2019.08.19 [Court] Minute Order re Demurrer to Amended
6 Complaint
7 Exhibit 19: 2019.08.21 [Girn] Declaration of Mark Mermelstein iso Motion to
8 Strike
9 Exhibit 20: 2019.08.21 [Girn] Declaration of Mona S. Amer iso Motion to
10 Strike
11 Exhibit 21: 2019.08.21 [Girn] Defendants' Notice of Motion and Motion
12 Quash Summons and Motion to Strike
13 Exhibit 22: 2019.08.22 [Girn] MM Decl iso Motion for Advancement
14 Exhibit 23: 2019.08.22 [Girn] Motion for Advancement of Fees
15 Exhibit 24: 2019.08.22 [Girn] Motion to Strike Proof of Service
16 Exhibit 25: 2019.08.29 [Francisco Leport] Answer to Amended Complaint
17 Exhibit 26: 2019.08.29 [Monica Leport] Answer to Amended Complaint
18 Exhibit 27: 2019.08.29 [Peter Leport] Answer to Amended Complaint
19 Exhibit 28: 2019.09.05 [Girn, et al] Notice of Withdrawal of Motion
20 Exhibit 29: 2019.09.05 [Pieter] Amended Answer to Complaint
21 Exhibit 30: 2019.09.09 [Court] Minutes Order re Chambers Work
22 Exhibit 31: 2019.09.11 [Court] Minute Order re Chambers Work
23 Exhibit 32: 2019.09.11 [Girn, et al] Decl of Amer ISO Mot Quash Summons
24 and to Strike
25 Exhibit 33: 2019.09.11 [Girn, et al] Decl of Mermelstein ISO Mot for
26 Advancement of Fees
27 Exhibit 34: 2019.09.11 [Girn, et al] Decl of Mermelstein ISO Mot Quash
28 Summons and to Strike

1 Exhibit 35: 2019.09.11 [Girn, et al] Motion for Advancement of Fees and
2 Memo and Decl ISO
3 Exhibit 36: 2019.09.11 [Girn, et al] Motion to Quash Summons and Strike,
4 Memo and Decl ISO
5 Exhibit 37: 2019.09.18 [Court] Minute Order re Ex Parte Hearing
6 Exhibit 38: 2019.11.18 [Girn, et al] Reply ISO Mot for Advancement of Fees;
7 Decl of Mark Mermelstein in Support Thereof
8 Exhibit 39: 2019.11.18 [Girn, et al] Reply ISO Mot to Quash Summons and to
9 Strike
10 Exhibit 40: 2019.11.21 [Court] Minute Order w reassignment
11 Exhibit 41: 2019.11.21 [Court] Minute Order
12 Exhibit 42: 2019.12.10 [Court] Minute Order re Chambers Work
13 Exhibit 43: 2019.12.13 [Girn] NOM and Motion for Protective Order
14 Exhibit 44: 2019.12.13 [LePort] JZK Decl ISO Joinder and Motion for
15 Protective Order and Sanctions
16 Exhibit 45: 2019.12.13 [LePort] LePort Dfts_ Joinder and Motion for
17 Protective Order and Sanctions
18 Exhibit 46: 2019.12.13 [LePort] LePort PO Granting Joinder and Motion for
19 Protective Order and Sanctions
20 Exhibit 47: 2019.12.13 [Lukas Pieter] Ntc of Joinder re Mot for Protective
21 Order
22 Exhibit 48: 2019.12.17 [Lukas Pieter] Part 2 of 3 of Joinder re Mot for
23 Protective Order
24 Exhibit 49: 2019.12.17 [Lukas Pieter] Part 3 of 3 of Joinder re Mot for
25 Protective Order
26 Exhibit 50: 2020.02.18 [Girn] Answer to Second Amended Complaint
27 Exhibit 51: 2020.02.18 [Girn] Cross-Complaint Against Barney and LEI
28

1 Exhibit 52: 2020.04.28 [Carl Barney, et al] Decl of Carl Barney ISO Special
2 MTS Cross-Complaint
3 Exhibit 53: 2020.04.28 [Carl Barney, et al] Decl of Jonathan D. Kent ISO
4 Special MTS Cross-Complaint
5 Exhibit 54: 2020.04.28 [Carl Barney, et al] Memo of Points and Authorities
6 ISO Cross-Def Special MTS Girns Cross-Complaint
7 Exhibit 55: 2020.05.21 [Court] Notice of Court Trial
8 Exhibit 56: 2020.07.21 [Girn, et al] Reply ISO Mot for Protective Order
9 Exhibit 57: 2020.07.21 [LePort Dfts'] Joinder and Reply ISO Motion for
10 Protective Order and Sanctions
11 Exhibit 58: 2020.07.29 [LEI] Substitution of Attorney
12 Exhibit 59: 2020.08.05 [Barney] Decl Kent ISO Opp to Mtn for Protective
13 Order
14 Exhibit 60: 2020.08.05 [Barney] Opp to Mtn for Protective Order
15 Exhibit 61: 2020.08.06 [Girns] Opposition to Anti-SLAPP Motion
16 Exhibit 62: 2020.08.11 [Girn] 2nd Reply iso Motion for Protective Order
17 Exhibit 63: 2020.08.11 [LePort] Reply ISO Joinder and Motion for Protective
18 Order and Sanctions
19 Exhibit 64: 2020.08.11 [Pieter] Reply iso Motion for Protective Order
20 Exhibit 65: 2020.08.18 [Court] Minute Order re Ex Parte Application for
21 Leave to File Sur-Reply to Special MTS
22 Exhibit 66: 2020.08.19 [Court] Minute Order re Chambers Work
23 Exhibit 67: 2020.08.19 [Court] Minutes Finalized for Multiple Events
24 Exhibit 68: 2020.09.17 [Court] Minute Order re Allocation of Fees
25 Exhibit 69: 2020.09.17 [Court] Minute Order re OSC re Sanctions for
26 Plaintiff's Failure to Pay Filing Fees
27 Exhibit 70: 2020.09.17 [Court] Order re Appointment of Discovery Referee
28

1 Exhibit 71: 2020.09.18 [Girn] Supplemental Brief in Opposition to Plaintiff's
2 Special Motion To Strike
3 Exhibit 72: 2020.09.18 [Plaintiff] Supplemental Brief ISO Special Motion to
4 Strike
5 Exhibit 73: 2020.09.21 [Court] Minute Order re Nunc Pro Tunc Minutes
6 Exhibit 74: 2020.09.25 [Court] Minute Order re Anti-SLAPP motion
7 supplemental briefs
8 Exhibit 75: 2020.10.01 [Court] Minute Order re Order to Show Cause re
9 Sanctions
10 Exhibit 76: 2020.10.01 [Court] Minute Order
11 Exhibit 77: 2020.10.15 [Barney] Answer to Girns' Cross-Complaint
12 Exhibit 78: 2020.11.03 [Court] Minutes Finalized for Ex Parte Application
13 Exhibit 79: 2020.11.16 [Court] Confidential Protective Order
14 Exhibit 80: 2020.11.30 [Court] Minute Order
15 Exhibit 81: 2020.12.08 [LEI] Answer to Girn Cross-Complaint
16 Exhibit 82: 2020.12.08 [LEI] Answer to Unverified Cross-Complaint
17 Exhibit 83: 2021.02.17 [Girn, et al] Decl of Mark Mermelstein ISO Mot for
18 Summary Adjudication
19 Exhibit 84: 2021.02.17 [Girn, et al] Decl of Ramandeep Girn ISO Mot for
20 Summary Adjudication
21 Exhibit 85: 2021.02.17 [Girn, et al] Ntc of Mot for Summary Adjudication;
22 Memo of Points and Authorities, et al - Filed
23 Exhibit 86: 2021.02.17 [Girn, et al] Request for Judicial Ntc ISO Mot for
24 Summary Adjudication - Filed
25 Exhibit 87: 2021.02.17 [Girn, et al] Separate Statement of Undisputed Material
26 Facts ISO Mot for Summary Adjudication - Filed
27 Exhibit 88: 2021.02.26 [Court] Order Granting Ex Parte Application
28 Exhibit 89: 2021.04.20 [Court] Minute Order on Referee's Report

1 Exhibit 90: 2021.04.20 [Court] Signed Amended Referee Recommendation
2 Exhibit 91: 2021.05.07 [Girn] Notice and Motion for Leave to Amend Cross-
3 Complaint
4 Exhibit 92: 2021.05.28 [Court] Minute Order re Chambers Work
5 Exhibit 93: 2021.07.01 [Barney] Declaration of Jonathan D. Kent ISO Pltf's
6 Mtn to file Third Amended Complaint
7 Exhibit 94: 2021.07.01 [Barney] Memo of Ps and As for Mtn to File Third
8 Amended Complaint
9 Exhibit 95: 2021.07.01 [Barney] Ntc of Mot and Motion for Leave to file Third
10 Amended Complaint
11 Exhibit 96: 2021.07.06 [Court] Minute Order re LEI and Barney Ex Partes
12 Exhibit 97: 2021.07.06 [Court] Notice of Case Reassignment to Lon F.
13 Hurwitz
14 Exhibit 98: 2021.07.06 [Court] Order re Ex Parte Motion to Shorten Time
15 Exhibit 99: 2021.08.05 [Girn] Decl of Francisco LePort iso Opposition to
16 Motion to File Third Amended Complaint
17 Exhibit 100: 2021.08.05 [Girn] Opposition to Barney Motion to File Third
18 Amended Complaint
19 Exhibit 101: 2021.08.11 [Barney] Reply iso Mtn for Leave to File Third
20 Amended Complaint
21 Exhibit 102: 2021.08.25 [Court] Order Granting Barney Motion for Leave to
22 File Third Amended Complaint
23 Exhibit 103: 2021.08.26 [Barney] Plaintiff's Third Amended Complaint
24 Exhibit 104: 2021.09.02 [JAMS Defendants] Joint Motion to Set Deadline for
25 Sanctions
26 Exhibit 105: 2021.09.09 [Barney] Opposition to Girns' Mtn for Leave to
27 Amend
28

1 Exhibit 106: 2021.09.09 [LEI] Opposition to Girns Mtn. for Leave to Amend
2 Cross-Complaint
3 Exhibit 107: 2021.09.10 [Barney] Opposition to Request to Amend Sanctions
4 Order
5 Exhibit 108: 2021.09.14 [Girn] Girn Dec iso Mtn for Summary Adjudication
6 Exhibit 109: 2021.09.14 [Girn] Mermelstein Dec iso Motion for Summary
7 Adjudication
8 Exhibit 110: 2021.09.14 [Girn] Notice of Motion and Motion for Summary
9 Adjudication
10 Exhibit 111: 2021.09.14 [Girn] Notice of Partial Withdrawal of MSA
11 Exhibit 112: 2021.09.14 [Girn] Request for Judicial Notice iso MSA
12 Exhibit 113: 2021.09.14 [Girn] Sep Statement iso Motion for Summary
13 Adjudication
14 Exhibit 114: 2021.09.14 [Joint Motion] to Set deadline for Payment of
15 Sanctions
16 Exhibit 115: 2021.09.15 [Barney] Barney Decl. iso Opposition to MSA
17 Exhibit 116: 2021.09.15 [Barney] Evidentiary Objections
18 Exhibit 117: 2021.09.15 [Barney] Kent Decl. iso Opp to Girn MSA
19 Exhibit 118: 2021.09.15 [Barney] Opposition to Girn MSA
20 Exhibit 119: 2021.09.15 [Barney] Opposition to Sep. Stmt
21 Exhibit 120: 2021.09.15 [Court] Minute Order re Motion to Amend X-
22 Complaint Hearing Date
23 Exhibit 121: 2021.09.15 [Girn] Reply iso Motion for Leave to Amend Cross-
24 Complaint (conformed)
25 Exhibit 122: 2021.09.15 [LEI] Notice of Errata to Zar Decl
26 Exhibit 123: 2021.09.15 [LEI] Opposition to Girn MSA
27 Exhibit 124: 2021.09.15 [LEI] Opposition to Girn Sep Stmtnt
28

1 Exhibit 125: 2021.09.17 [Court] Order Granting Ex Parte App to Enlarge Page
2 Limit
3 Exhibit 126: 2021.09.24 [Girn] Girn Reply to Barney Opp to MSA
4 Exhibit 127: 2021.09.24 [Girn] Girn Reply to LEI Opp to MSA1
5 Exhibit 128: 2021.09.24 [Girn] Response to Barney Evidentiary Objections
6 Exhibit 129: 2021.09.24 [Girn] Supp Decl of MM iso Reply iso MSA
7 Exhibit 130: 2021.09.28 [Girn] Answer to Third Amended Complaint
8 Exhibit 131: 2021.09.28 [LePort] Francisco LePort's Answer to TAC
9 Exhibit 132: 2021.09.28 [LePort] Monica LePort's Answer to TAC
10 Exhibit 133: 2021.09.28 [LePort] Peter LePort's Answer to TAC
11 Exhibit 134: 2021.09.28 [Pieter] Answer to Third Amended Complaint
12 Exhibit 135: 2021.09.29 [Court] Minute Order re MSA and Motion to Amend
13 Exhibit 136: 2021.10.04 [Pieter] Notice of Entry of Judgment
14 Exhibit 137: 2021.10.29 [Girn] Notice and Motion for Leave to Amend Cross-
15 Complaint
16 Exhibit 138: 2021.11.01 [Court] Order re Deadline for Payment of Sanctions-
17 Second Amended Report and Recommendation (entered)
18 Exhibit 139: 2021.11.10 [Girn] Notice of Ruling re Ex Parte App to Advance
19 Hearing Date on Motion for Leave to Amend
20 Exhibit 140: 2021.11.17 [Barney] Dec. Barney in Opp to Girn MSJ
21 Exhibit 141: 2021.11.17 [Barney] Evidentiary Objections to MSJ
22 Exhibit 142: 2021.11.17 [Barney] Miller Decl in Opp to Girn MSJ
23 Exhibit 143: 2021.11.17 [Barney] Opposition to Girn MSA
24 Exhibit 144: 2021.11.17 [Barney] Opposition to Separate Statement
25 Exhibit 145: 2021.11.24 [Girn] Reply iso Motion for Summary Adjudication
26 Exhibit 146: 2021.11.24 [Girn] Reply to Barney Separate Statement iso
27 Opposition
28 Exhibit 147: 2021.11.24 [Girn] Response to Objections to Girn Evidence

1 Exhibit 148: 2021.12.01 [Court] Minute Order re Motion for Summary
2 Adjudication
3 Exhibit 149: 2021.12.08 [Court] Minute Order on Ex Parte re Out-of-State
4 Commission
5 Exhibit 150: 2021.12.13 [Barney] Bastian Decl iso Motion for Reconsideration
6 Exhibit 151: 2021.12.13 [Barney] Kent Decl iso Motion for Reconsideration
7 Exhibit 152: 2021.12.13 [Barney] Motion for Reconsideration
8 Exhibit 153: 2021.12.13 [LEI] Substitution of Attorney -LEI-LMG signed
9 Exhibit 154: 2021.12.14 [LEI] Motion for Joinder to Motion for
10 Reconsideration
11 Exhibit 155: 2022.01.26 [HGE~Girn] Notice of Related Case
12 Exhibit 156: 2022.03.03 [Barney] Opposition to Motion to Amend
13 Exhibit 157: 2022.03.03 [LEI] Opp. to Mtn. for Leave to Amend X-Complaint
14 Exhibit 158: 2022.03.08 [Esmond] Opposition to Girn Motion to Amend
15 Exhibit 159: 2022.03.09 [Girn] Decl of Peter LePort re LEI counsel
16 Exhibit 160: 2022.03.09 [Girn] Reply iso Motion for Leave to Amend
17 Exhibit 161: 2022.03.09 [Girn] Reply to Esmond iso Motion for Leave to
18 Amend
19 Exhibit 162: 2022.03.09 [Girn] Reply to LEI iso Motion for Leave to Amend
20 Exhibit 163: 2022.03.17 [Girn] First Amended Cross-Complaint
21 Exhibit 164: 2022.03.17 [Girn] Notice of Ruling re Motion to Amend X-
22 Complaint
23 Exhibit 165: 2022.04.14 [Girn] Opposition to Motion for Reconsideration
24 Exhibit 166: 2022.04.20 [Barney] Reply to Opp. to MFR
25 Exhibit 167: 2022.04.20 [Barney] Supp. Schmidt Declaration ISO Reply
26 Exhibit 168: 2022.04.20 [LEI] Answer to FACC
27 Exhibit 169: 2022.04.20 [LEI] Reply to Opp. to Mtn for Recon
28 Exhibit 170: 2022.04.26 [Court] Minute Order re Motion for Reconsideration

1 Exhibit 171: 2022.04.27 [Barney] Demurrer re FACC
2 Exhibit 172: 2022.04.27 [Barney] Motion to Strike re FACC
3 Exhibit 173: 2022.04.27 [Barney] RJN iso Demurrer to FACC
4 Exhibit 174: 2022.04.27 [Barney] RJN iso Motion to Strike
5 Exhibit 175: 2022.04.28 [Girn] MM Decl re Motion to Strike
6 Exhibit 176: 2022.05.02 [Juhlin and Miller] Joinder to Demurrer and Motion
7 to Strike
8 Exhibit 177: 2022.05.05 [Esmond] Decl of EZC iso Demurrer to FACC
9 Exhibit 178: 2022.05.05 [Esmond] Demurrer to FACC
10 Exhibit 179: 2022.05.05 [Esmond] Motion to Strike FACC
11 Exhibit 180: 2022.05.12 [Court] Minute Order
12 Exhibit 181: 2022.05.16 [Court] Minute Order re Status Conference
13 Exhibit 182: 2022.06.02 [Court] Minute Order re Discovery Referee
14 Exhibit 183: 2022.07.06 [Court] Minute Order on Motion for Reconsideration
15 Exhibit 184: 2022.08.31 [Girn] Opposition to Demurrer
16 Exhibit 185: 2022.08.31 [Girn] Opposition to Motion to Strike
17 Exhibit 186: 2022.09.08 [Girn] Opposition to Esmond Demurrer
18 Exhibit 187: 2022.09.08 [Girn] Opposition to Esmond Motion to Strike
19 Exhibit 188: 2022.09.14 [Court] Minute Order
20 Exhibit 189: 2022.10.04 [Girn] Memo of Ps and As for Leave to Amend
21 Cross-Complaint
22 Exhibit 190: 2022.10.04 [Girn] MM Decl iso Motion for Leave to Amend
23 Cross-Complaint
24 Exhibit 191: 2022.10.04 [Girn] Notice of Motion for Leave to Amend Cross-
25 Complaint
26 Exhibit 192: 2022.10.13 [Barney] Dreger Decl iso Opp to Defendants' Motion
27 for Leave
28

1 Exhibit 193: 2022.10.13 [Barney] Opposition to Defendants' Motion for Leave
2 to Amend Cross-Complaint
3 Exhibit 194: 2022.10.13 [Barney] RJD iso Opp to Defendants' Motion for
4 Leave
5 Exhibit 195: 2022.10.19 [Girn] Reply iso Motion for Leave to Amend Cross-
6 Complaint
7 Exhibit 196: 2022.10.26 [Court] Minute Order
8 Exhibit 197: 2022.10.31 [Girn] Notice of Ruling on Motion for Leave to
9 Amend
10 Exhibit 198: 2022.10.31 [Girn] Second Amended Cross-Complaint
11 Exhibit 199: 2022.11.16 [Defendants] Motion for Protective Order
12 Exhibit 200: 2022.11.23 [Barney and LEI] Declaration of Schmidt ISO Joint
13 Opposition to Joint Motion for Protective Order
14 Exhibit 201: 2022.11.23 [Barney and LEI] Joint Opposition to Joint Motion for
15 Protective Order
16 Exhibit 202: 2022.11.30 [Defendants] Reply iso Motion for Protective Order
17 Exhibit 203: 2022.12.02 [Barney et al] Demurrer to SACC
18 Exhibit 204: 2022.12.02 [Barney et al] Motion to Strike SACC
19 Exhibit 205: 2022.12.02 [Barney et al] Request for Judicial Notice ISO
20 Demurrer to SACC
21 Exhibit 206: 2022.12.05 [LEI] Motion to Strike Arguments in Reply iso
22 Motion for Protective Order
23 Exhibit 207: 2022.12.05 [LEI] Schmidt Decl iso Motion to Strike Arguments
24 in Reply
25 Exhibit 208: 2022.12.07 [Defendants] Joint Opp to Motion to Strike re MPO
26 Exhibit 209: 2022.12.09 [Barney] Reply to Opp. to Joint Motion to Strike
27 Arguments in Reply
28

1 Exhibit 210: 2023.02.07 [MBK Chapman] Ntc of Mtn and Mtn. to Be Relieved
2 as Counsel
3 Exhibit 211: 2023.04.14 [Girn] Opposition to Barney Ds Demurrer to SACC
4 Exhibit 212: 2023.04.14 [Girn] Opposition to Motion to Strike SACC
5 Exhibit 213: 2023.04.20 [Barney] Reply to Opp. to Demurrer to SACC
6 Exhibit 214: 2023.04.20 [Barney] Reply to Opp. to MTS SACC
7 Exhibit 215: 2023.04.21 [Barney] Decl. of J. Schmidt ISO Opp. to Motion for
8 Leave to Intervene in SACC
9 Exhibit 216: 2023.04.21 [Barney] Opposition to Motion for Leave to Intervene
10 in SACC
11 Exhibit 217: 2023.04.27 [Girn] Reply iso Motion for Leave to Intervene in
12 SACC
13 Exhibit 218: 2023.05.05 [Court] Minute Order re Motion to Intervene
14 Exhibit 219: 2023.05.05 [Girn] Notice of Ruling
15 Exhibit 220: 2023.07.20 [Court] Minute Order re Motions Hearing
16 Exhibit 221: 2023.07.21 [Court] Minute Order on Barney Demurrer
17 Exhibit 222: 2023.07.21 [Court] Order Granting Attorneys Motion to Be
18 Relieved as Counsel
19 Exhibit 223: 2023.07.27 [Barney] Notice of Ruling on Demurrer and MTS
20 SACC
21 Exhibit 224: 2023.07.31 [Girn] Third Amended Cross-Complaint
22 Exhibit 225: 2023.09.01 [Barney LEI] Demurrer to TACC
23 Exhibit 226: 2023.09.01 [Barney LEI] Motion to Strike Portions of TACC
24 Exhibit 227: 2023.09.01 [Barney LEI] RJN ISO Demurrer to TAC
25 Exhibit 228: 2023.09.01 [Barney] Declaration of Schmidt ISO Opp. to Girns'
26 MTC
27 Exhibit 229: 2023.09.07 [Robinson et al] Notice of Appearance re LEI
28 Exhibit 230: 2023.10.02 [Court] Minute Order re LEI representation

1 Exhibit 231: 2024.01.02 [LEI] Notice of Appearance by Law Office of Lou
2 Shoch
3 Exhibit 232: 2024.01.02 [LEI] Notice of Withdrawal of Demurrer
4 Exhibit 233: 2024.01.05 [Court] Minute Order Denying Ex Parte
5 Exhibit 234: 2024.01.05 [Robinson Firm] Notice of Non-Withdrawal and
6 Objection
7 Exhibit 235: 2024.01.11 [Girn] Opposition to Barney Ds Demurrer to TACC
8 Exhibit 236: 2024.01.11 [Girn] Opposition to LEI Demurrer to TACC
9 Exhibit 237: 2024.01.11 [Girn] Opposition to Motion to Strike TACC
10 Exhibit 238: 2024.01.11 [Girn] Request for Judicial Notice iso Opposition to
11 Demurrer to TACC
12 Exhibit 239: 2024.01.17 [Barney RR] Declaration of Kelli Dreger ISO Ex
13 Parte with Exhibits
14 Exhibit 240: 2024.01.17 [Barney] Motion for Preliminary Injunction
15 Exhibit 241: 2024.01.18 [Barney LEI] Reply ISO Demurrer to TACC
16 Exhibit 242: 2024.01.18 [Barney LEI] Reply ISO MTStrike
17 Exhibit 243: 2024.01.23 [Girn] Notice of Withdrawal of Opposition to LEI
18 Demurrer
19 Exhibit 244: 2024.01.24 [Robinson Firm] Joinder in Preliminary Injunction
20 Exhibit 245: 2024.03.01 [Court] Minute Order re Referee Reports
21 Exhibit 246: 2024.05.03 [Girn] Opposition to Barney Motion for Preliminary
22 Injunction
23 Exhibit 247: 2024.05.03 [LEI] Notice of Joinder to Opposition to PI Motion
24 Exhibit 248: 2024.05.03 [LePort] Joinder to Opposition to Motion for
25 Preliminary Injunction
26 Exhibit 249: 2024.05.09 [Barney] Reply ISO Motion for Preliminary
27 Injunction
28

1 Exhibit 250: 2024.05.09 [Robinson] LEI Joinder in Barney Reply re
2 Preliminary Injunction
3 Exhibit 251: 2024.05.16 [Court] Minute Order re Continuance of Motion for
4 Prelim Injunction
5 Exhibit 252: 2024.06.28 [Court] Minute Order
6 Exhibit 253: 2024.07.02 [Girn] Request for Statement of Decision re
7 Sustaining Demurrer
8 Exhibit 254: 2024.07.08 [Barney] Notice of Ruling re Motion for Prelim
9 Injunction and Demurrer and Undertaking
10 Exhibit 255: 2024.07.10 [Barney et al] Cross Defendants' Answer to TACC
11 Exhibit 256: 2024.07.10 [Robinson Firm] Answer to TACC
12 Exhibit 257: 2024.07.19 [Court] Minute Order re Demurrer Ruling
13 Exhibit 258: 2024.08.05 [Girn] Compendium of Evidence FINAL
14 Exhibit 259: 2024.08.05 [Girn] MSA re Barney COAs 1-4 8-11 FINAL
15 Exhibit 260: 2024.08.05 [Girn] MSA Separate Statement COAs 1-4 8-11
16 Exhibit 261: 2024.10.10 [Barney] Compendium of Evidence
17 Exhibit 262: 2024.10.10 [Barney] Evidentiary Objections
18 Exhibit 263: 2024.10.10 [Barney] Opp. to Girns' Motion for Summary
19 Adjudication
20 Exhibit 264: 2024.10.10 [Barney] Opposition to Girns' Separate Statement
21 Exhibit 265: 2024.10.15 [Court] Order Granting Trial Date Extension
22 Exhibit 266: 2024.10.18 [Girn] Evidentiary Objections to Barney Decl
23 Exhibit 267: 2024.10.18 [Girn] Opp to Barney Separate Statement
24 Exhibit 268: 2024.10.18 [Girn] Reply iso MSA
25 Exhibit 269: 2024.10.18 [Girn] Response to Barney Evidentiary Objections to
26 MSA
27 Exhibit 270: 2024.10.25 [Court] Minute Order re Girn MSA
28 Exhibit 271: 2024.11.08 [Barney] Declaration of J. Schmidt iso MJP

1 Exhibit 272: 2024.11.08 [Barney] Notice of Motion and Motion for Judgment
2 on the Pleadings
3 Exhibit 273: 2024.11.08 [Barney] Request for Judicial Notice iso MJP
4 Exhibit 274: 2024.11.20 [Barney] Declaration of Counsel ISO Pltf's Motion to
5 File Supplemental Complaint
6 Exhibit 275: 2024.11.20 [Barney] MPA re Mtn for Leave to File Supp
7 Complaint
8 Exhibit 276: 2024.11.20 [Barney] Ntc of Motion and Motion for Leave to file
9 Supplemental Complaint
10 Exhibit 277: 2025.03.05 [HACM] Decl iso Motion to Withdraw as Counsel to
11 HGE
12 Exhibit 278: 2025.03.05 [HACM] Notice and Motion to Be Relieved as
13 Counsel for HGE
14 Exhibit 279: 2025.03.18 [Court] Minute Order Continuing Trial Date
15 Exhibit 280: 2025.03.20 [Girn] Opposition to Motion for Judgment on the
16 Pleadings
17 Exhibit 281: 2025.03.20 [LePorts] Opposition to Motion for Leave to File
18 Supplemental Complaint
19 Exhibit 282: 2025.03.26 [Barney] Reply to Motion for Leave to File
20 Supplemental Complaint
21 Exhibit 283: 2025.03.26 [Barney] Reply to Opposition to Motion for Judgment
22 on the Pleadings
23 Exhibit 284: 2025.04.01 [Barney] Ntc of Withdrawal of Motion for Leave to
24 file Supplemental Complaint
25 Exhibit 285: 2025.04.03 [HACM] Order Granting Motion to Be Relieved as
26 Counsel to HGE
27 Exhibit 286: 2025.04.10 [Court] Minute Order Denying Motion for Judgment
28 on the Pleadings

1 Exhibit 287: 2025.04.10 [Court] SIGNED Order Granting Motion to Be
2 Relieved as Counsel
3 Exhibit 288: 2025.04.14 [Girn] Notice of Ruling on Motion for Judgment on
4 the Pleadings
5 Exhibit 289: 2025.04.22 [Court] Minute Order re Discovery Referee Reports
6 Exhibit 290: 2025.04.25 [Court] Minute Order re HGE
7 Exhibit 291: 2025.05.08 [Court] Minute Order
8 Exhibit 292: 2025.05.09 [Court] Minute Order re Bifurcation
9 Exhibit 293: 2025.05.12 [Court] Minute Order re Continued Trial Date
10 Exhibit 294: 2025.05.16 [Court] Minute Order re Discovery Motion
11 Exhibit 295: 2025.05.27 [Court] Minute Order re OSC
12 Exhibit 296: 2025.05.29 [HGE] Notice of Appearance for HGE
13

14 17. A copy of this Notice of Removal will be served on all parties, and a
15 Notice of Removal will be filed with the Superior Court of Orange County,
16 California, pursuant to Federal Rule of Bankruptcy Procedure 9027(b)(2).
17

18 I declare under penalty of perjury under the laws of the United States that the
19 foregoing is true and correct.
20

21 Executed this 18th day of June 2025 at Los Angeles, California.
22

23 Dated: June 18, 2025

HOLMES, ATHEY, COWAN &
MERMELSTEIN, LLP

25 By: /s/ Mark Mermelstein

26 MARK MERMELSTEIN
27 Attorneys for Ramandeep Girn and
Rebecca Girn
28

PROOF OF SERVICE

Sun Bright Assets N.V., et al. v. Geoffrey K. Auyeung, et al.
U.S. District Court Case No. 2:24-cv-10249 MWC (BFMx)

I reside and work in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 811 Wilshire Boulevard, Suite 1460, Los Angeles, California 90017. My electronic service address is bmendoza@holmesathey.com.

On the date set forth below, I served the foregoing document(s) described as:

**NOTICE OF REMOVAL OF LAWSUIT PENDING IN STATE COURT TO
BANKRUPTCY COURT (28 USC § 1452)**

on the interested party(ies) at the address(es) set forth below:

SEE ATTACHED SERVICE LIST

(BY U.S. MAIL) I am “readily familiar” with the firm’s practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day as shown on this declaration with First Class postage thereon and fully prepaid at Los Angeles County, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing affidavit.

(BY ELECTRONIC MAIL (PDF FORMAT)) Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused said document to be transmitted electronically to the interested parties at the email addresses listed on the attached Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under perjury under the laws of the United States that the above is true and correct.

Executed on June 18, 2025, at Santa Clarita, California.

Bridget Mendoza Bridget Mendo

Bridget Mendoza

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